

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CHRISTOPHER S. JONES,

Plaintiff,

v.

**Case No.: 2:18-cv-455
JUDGE GEORGE C. SMITH
Magistrate Judge Deavers**

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

This case is before the Court to consider the *Report and Recommendation* issued by the Magistrate Judge on July 31, 2019. The Magistrate Judge recommended that Plaintiff's Statement of Errors be overruled and that the Commissioner of Social Security's decision be affirmed. (Doc. 18). This matter is now before the Court on Plaintiff's Objection to the Magistrate Judge's *Report and Recommendation*. (Doc. 19). The Court will consider the matter *de novo*. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

Plaintiff raises one primary objection to the Magistrate Judge's *Report and Recommendation*—that the ALJ'S Mental Residual Functional Capacity is not supported by substantial evidence. Specifically, Plaintiff disagrees with the ALJ and Magistrate Judge's reliance on Dr. Buban's testimony to classify the personality disorder as a non-medically determinable impairment.

This objection is the same argument presented to the Magistrate Judge in the Statement of Errors. Plaintiff merely disagrees with the Magistrate Judge's findings. The Magistrate Judge

correctly found that the ALJ did not err when relying on Dr. Buban's testimony because she gave a reasoned explanation for why the record did not support a finding that personality disorder was a separate impairment. Further, the Magistrate Judge points out that Dr. Sansotta never diagnosed a personality disorder while treating Plaintiff.

The Magistrate Judge concluded that substantial evidence supports the ALJ's conclusion that Dr. Buban's opinion was supported by the record, whereas Dr. Sansotta's opinion was not. In considering both opinions, the Magistrate Judge correctly concluded that the ALJ's RFC finding is supported by substantial evidence.

Therefore, for the reasons stated in the well-reasoned *Report and Recommendation*, this Court finds that Plaintiff's objection is without merit.

Based on the aforementioned and the detailed *Report and Recommendation*, the Court finds that Plaintiff's objection has been thoroughly considered and is hereby **OVERRULED**. Accordingly, the *Report and Recommendation*, Document 18, is **ADOPTED** and **AFFIRMED**.

The Clerk shall remove Documents 18 and 19 from the Court's pending motions list and enter final judgment in this case.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT